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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 21-CR-274 CRB
)	
Plaintiff,)	
)	PETITION FOR WRIT OF HABEAS CORPUS
v.)	AD PROSEQUENDUM
)	
IAN BENJAMIN ROGERS,)	
)	
Defendant.)	
)	

TO: The Honorable SALLIE KIM, United States Magistrate Judge for the Northern District of California

Assistant United States Attorney Frank J. Riebli respectfully requests that the Court issue a Writ of Habeas Corpus Ad Prosequendum for the person of prisoner IAN BENJAMIN ROGERS, whose place of custody or jailor are set forth in the requested Writ, attached hereto. On January 26, 2021, the Court issued a complaint, in 3-21-MJ-70157 MAG charging ROGERS with violations of 26 U.S.C. §§ 5861(d) and 5845. ROGERS was in state custody at the time, facing state weapons charges. Accordingly, on February 18, 2021, the government obtained a writ to secure ROGERS's appearance on

1 the federal charge, but the writ authorized a remote appearance. Thus, ROGERS remained in state
2 custody and made his initial appearance on the federal charge on February 23, 2021 by Zoom. On July
3 7, 2021, the grand jury indicted ROGERS for violations of 18 U.S.C. §§ 844(i) and (n), 26 U.S.C.
4 §§ 5861(d) and 5845, and 18 U.S.C. § 922(o) (three counts), in case number 21-CR-274 CRB.
5 ROGERS appeared by Zoom and been arraigned on the Indictment. His next appearance before the
6 District Court is February 2, 2022. In order to facilitate the orderly prosecution of the case and trial
7 setting and preparation, the government now seeks the physical transfer of ROGERS into federal
8 custody.

9 The government previously applied for and obtained a writ (in December 2021). At the request
10 of the United States Marshals Service the government submits this new application with the language
11 the USMS requests, seeking ROGERS's transfer forthwith.

12 The government has consulted with the Napa County District Attorney's Office and that office
13 consents to ROGERS's transfer to federal custody by this writ.

14 The prisoner, IAN BENJAMIN ROGERS, is required to appear as a defendant in the above-
15 entitled matter in this Court on the date identified in the writ and for all future hearings, and therefore
16 petitioner prays that the Court issue the Writ as presented.

17
18 Dated: January 6, 2022

Respectfully Submitted,

19 STEPHANIE M. HINDS
20 United States Attorney

21 /s/ Frank J. Riebli
22 Frank J. Riebli
23 Assistant United States Attorney
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UNITED STATES OF AMERICA,)	CASE NO. 21-CR-274 CRB
)	
Plaintiff,)	
)	
v.)	
)	ORDER GRANTING PETITION FOR WRIT OF
IAN BENJAMIN ROGERS,)	HABEAS CORPUS AD PROSEQUENDUM
)	
Defendant.)	
)	

Upon motion of the United States of America, and good cause appearing therefore,
IT IS HEREBY ORDERED that the request of the United States for issuance of the Writ of Habeas
Corpus Ad Prosequendum requiring the production of defendant IAN BENJAMIN ROGERS, before
this Court on the date stated in the Writ submitted, or as soon thereafter as practicable, and requiring that
the defendant be present for all future hearings, is GRANTED and the Writ shall be issued as presented.

DATED: January 7, 2022


HON. SALLIE KIM
United States Magistrate Judge

WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO: **MARK KOLC, (Acting) United States Marshal for the Northern District of California or
and DINA JOSE, Napa County Director of Corrections** and /or any of their authorized
deputies:

Pursuant to the foregoing petition and order, you are directed to remove the body of IAN
BENJAMIN ROGERS (DOB 3/16/1976) from the custody of Napa County Department of Corrections,
at 1125 Third Street in Napa, California 94559, into federal custody in the Northern District of
California, forthwith, or as soon as practicable, on the charges filed against defendant in the above-
entitled Court and further to produce said defendant at all future hearings as necessary until the
termination of the proceedings in this Court.

Should the current custodian release IAN BENJAMIN ROGERS from its custody, you are
directed that the defendant immediately be delivered and remanded to the U.S. Marshals for the
Northern District of California and/or his authorized deputies under this Writ.

DATED: January 7, 2022

CLERK, UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

By:


DEPUTY CLERK